

**WYATT**  
**35514-082001**



***ROANOKE CITY COUNCIL***  
***REGULAR SESSION***

***August 20, 2001***  
***2:00 P.M.***

***CITY COUNCIL CHAMBER***

***AGENDA FOR THE COUNCIL***

**1. Call to Order--Roll Call.**

The Invocation was delivered by The Reverend Kevin Smith, Pastor, Washington Heights Grace Brethren Church.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

## **NOTICE:**

Meetings of Roanoke City Council are televised live on RVTv Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, August 23, 2001, at 7:00 p.m., and Saturday, August 25, 2001, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

## **ANNOUNCEMENTS:**

**THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.**

**THE CITY CLERK'S OFFICE NOW PROVIDES THE CITY COUNCIL AGENDA PACKAGE ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS THE AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT [www.roanokegov.com](http://www.roanokegov.com), CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.**

**ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.**

**ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541 TO OBTAIN AN APPLICATION.**

## **PRESENTATIONS:**

A RESOLUTION paying tribute to Carl H. Kopitzke upon his relinquishment of the Chair of the Mill Mountain Advisory Committee, and expressing to him the appreciation of this City and its people for his exemplary public service.

**Adopted Resolution No. 35514-082001. (7-0)**  
**File #67-80-110**

Proclamation declaring September 2001 as Native American Month.  
**File #3-80**

Presentation of awards for Achievements in Financial Reporting.  
**File #1-10-80**

## **2. CONSENT AGENDA**

**(APPROVED 7-0)**

**ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.**

- C-1 Minutes of the regular meeting of Council held on Monday, July 16, 2001, the work session held on Monday, July 30, 2001, and the regular meeting held on Monday, August 6, 2001.

**RECOMMENDED ACTION:** Dispense with the reading thereof and approve as recorded.

C-2 Annual report of the Municipal Auditor for the fiscal year ended June 30, 2001.

RECOMMENDED ACTION: Receive and file.

**File #109-280**

C-3 Annual report of Audit Committee for the fiscal year ended June 30, 2001.

RECOMMENDED ACTION: Receive and file.

**File #109-300**

C-4 Qualification of the following persons:

Sheila N. Hartman as Assistant Deputy City Clerk, effective August 7, 2001;

Gail Burruss as a member of the Advisory Board of Human Development for a term ending November 30, 2004;

William C. Holland as a member of the Personnel and Employment Practices Commission for a term ending June 30, 2004; and

Evelyn F. Board as a member of the Human Services Committee for a term ending June 30, 2002.

RECOMMENDED ACTION: Receive and file.

**File #15-38-72-110-202**

## **REGULAR AGENDA**

### **3. HEARING OF CITIZENS UPON PUBLIC MATTERS:**

- a. Request of the Roanoke Arts Commission to discuss the Percent for Arts Program and Municipal Art in the City. Mark C. McConnel, Chair.

**Referred to the City Manager for study, report and recommendation to Council.**

**File #230**

- b. Request to address Council on behalf of the 2001 Commonwealth Games of Virginia. Peter Lampman, President, Virginia Amateur Sports, Inc.

**Received and filed.**

**File #334**

- c. Request to present information on efforts to preserve Read Mountain and for adoption of a resolution of support from the City of Roanoke. Ronald O. Crawford, Spokesperson.

**The City Manager was requested to informally contact as many property owners as possible in the Read Mountain Area and the City Attorney was instructed to prepare the proper measure for consideration by Council at its regular meeting on Tuesday, September 4, 2001.**

**File #548**

#### **4. PETITIONS AND COMMUNICATIONS:**

- a. A communication from the Commonwealth's Attorney with regard to the Cost Collection Unit for fiscal year 2000-01.

**Received and filed.**

**File #60-133**

- b. A communication from the Commonwealth's Attorney with regard to acceptance of funding for the Drug Prosecutor's Office; and a communication from the City Manager concurring in the recommendation.

**Adopted Budget Ordinance No. 35515-082001 and Resolution No. 35516-082001. (7-0)**

**File #60-76-133**

- c. A communication from the Commonwealth's Attorney in connection with cash assets forfeited to the Roanoke Commonwealth Attorney's Office; and a communication from the City Manager concurring in the recommendation.

**Adopted Budget Ordinance No. 35517-082001. (7-0)  
File #60-133**

- d. A communication from the Roanoke City School Board requesting appropriation of funds for the Reading Excellence Act grants for Virginia Heights Elementary School and Westside Elementary School; and a report of the Director of Finance recommending that Council concur in the request.

**Adopted Budget Ordinance No. 35518-082001. (6-0, Council Member Wyatt abstained from voting.)  
File #60-236-467**

- e. A communication from the Roanoke City School Board with regard to participating in the 2001 Interest Rate Subsidy Program Bond Sale - VPSA School Financing Bonds, Series 2001B, to be used for improvements at Fairview Elementary School and Fishburn Park Elementary School.

**Adopted Resolution No. 35519-082001 and Resolution No. 35520-082001. (7-0)**

**Council authorized public hearings to be held on Monday, September 17, 2001 at 7:00 p.m., or as soon thereafter as the matter may be heard.**

**File #53-467**

- f. A communication from David A. Bowers, Attorney, representing Roger Roberts of Diamond Point, Inc., requesting certain information with regard to the proposed expansion of The Roanoke Times manufacturing plant which is proposed for development behind his client's property located at 121 West Campbell Avenue.

**The matter was referred to the City Attorney for response.  
File #2-227**

## **5. REPORTS OF OFFICERS:**

- a. CITY MANAGER:

BRIEFINGS: NONE.

### ITEMS RECOMMENDED FOR ACTION:

- 1. A communication with regard to execution of the 2001-02 HOME Investment Partnerships Agreement with the Roanoke Redevelopment and Housing Authority.

**Adopted Resolution No. 35521-082001. (7-0)  
File #178-236**

- 2. A communication recommending acceptance of the bid submitted by Heitkamp, Inc., for remote television inspection of the old Roanoke River Interceptor Sewer.

**Adopted Budget Ordinance No. 35522-082001 and  
Ordinance No. 35523-082001. (7-0)  
File #27**

3. A communication recommending that the City Manager be authorized to execute the 2001-02 Community Development Block Grant Agreement with the Roanoke Regional Chamber of Commerce.

**Adopted Resolution No. 35524-082001. (7-0)**  
**File #99-236**

4. A communication recommending acceptance of the Juvenile Accountability Block Grant Incentive Program.

**Adopted Budget Ordinance No. 35525-082001 and  
Resolution No. 35526-082001. (7-0)**  
**File #60-236-305**

5. A communication recommending approval of revised fees for use of City park facilities and services, effective September 1, 2001.

**Adopted Resolution No. 35527-082001. (7-0)**  
**File #67-289**

6. A communication recommending acceptance of bids submitted by Magic City Motor Corporation and J. W. Burress, Inc., for one cab/chassis and one hydraulic crane for the Parks and Recreation Department.

**Adopted Resolution No. 35528-082001. (7-0)**  
**File #67-472**

7. A communication in connection with funding for the Fifth District Employment and Training Consortium.

**Adopted Budget Ordinance No. 35529-082001. (7-0)**  
**File #60-246**



8. A communication in connection with acceptance of Library of Virginia Infopowering Grant funds for the purpose of purchasing four computers each for Raleigh Court and Williamson Road Branch Libraries.

**Adopted Budget Ordinance No. 35530-082001 and Resolution No. 35531-082001. (7-0)**  
**File #60-236-323-472**

**Council Member Wyatt requested a report on the number of computers in each branch library and the main library.**

9. A communication recommending acceptance of a certain Local Law Enforcement Block Grant from the United States Department of Justice, in the amount of \$140,859.00, with the City providing \$15,657.00 in local match.

**Adopted Budget Ordinance No. 35532-082001 and Resolution No. 35533-082001. (7-0)**  
**File #5-60-236**

10. A communication recommending that the City Manager be authorized to execute the Automatic Fire Aid Agreement with the City of Salem; and authorize notice of termination of the lease of the fire station located at 4810 Salem Turnpike, N. W. (Fire Station No. 12).

**Adopted Ordinance No. 35534 on first reading. (4-3, Council Members Wyatt, Harris, and Hudson voted no.)**  
**File #70-373**

b. **DIRECTOR OF FINANCE:**

1. A report transmitting unaudited financial statements for the fiscal year ended June 30, 2001.

**Received and filed.**  
**File #1-10**

**6. REPORTS OF COMMITTEES: NONE.**

**7. UNFINISHED BUSINESS: NONE.**

**8. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.**

**9. MOTIONS AND MISCELLANEOUS BUSINESS:**

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.

**Vice-Mayor Carder commended the City administration/City staff on measures which were taken that resulted in the City's unaudited year end fund balance as reported by the Director of Finance under item 5.b.1.**

**File #60-80-184**

**Council Member Hudson expressed appreciation to those citizens of Roanoke who have supported him in his position regarding curbside refuse collection and the need for a bond referendum on the \$31 million bond issue.**

**File #53-144**

- b. Vacancies on various authorities, boards, commissions and committees appointed by Council.

**10. OTHER HEARING OF CITIZENS UPON PUBLIC MATTERS:**

**CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. IT IS A TIME FOR CITIZENS TO SPEAK AND A TIME FOR COUNCIL TO LISTEN. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR ANY NECESSARY AND APPROPRIATE RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.**

**THE MEETING OF ROANOKE CITY COUNCIL WAS DECLARED IN RECESS TO BE RECONVENED AT 5:00 P.M., IN THE EMERGENCY OPERATIONS CENTER CONFERENCE ROOM, ROOM 159, NOEL C. TAYLOR MUNICIPAL BUILDING, FOR A JOINT MEETING OF ROANOKE CITY COUNCIL AND THE ROANOKE CITY SCHOOL BOARD.**

**Ms. Harriet W. Stanley, 1424 West Drive, S. W., requested that her status on the physically challenged list for solid waste collection be immediately and permanently restored.**

**File #66-144**

**Ms. Helen E. Davis, 35 Patton Avenue, N. E., expressed concern with regard to the need for better communication between Council and the citizens of Roanoke. She advised that the City of Roanoke does not provide a participatory government because citizens are not allowed to engage in dialogue with Council members during Council meetings, citizens are given only five minutes at Council meetings to make remarks, and citizens are not permitted to address Council in work sessions.**

**File #66-132-175**

**THE MEETING WAS DECLARED IN RECESS AT 5:35 P.M., TO BE RECONVENED AT 5:45 P. M., IN THE EMERGENCY OPERATIONS CENTER CONFERENCE ROOM, ROOM 159, NOEL C. TAYLOR MUNICIPAL BUILDING, FOR A JOINT MEETING OF CITY COUNCIL AND THE SCHOOL BOARD.**



***ROANOKE CITY COUNCIL  
REGULAR SESSION***

***August 20, 2001  
7:00 P.M.***

***CITY COUNCIL CHAMBER***

***AGENDA FOR THE COUNCIL***

**Call to Order -- Roll Call.** (Council Member White was absent.)

The Invocation was delivered by Council Member C. Nelson Harris.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

**NOTICE:**

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## **A. PUBLIC HEARINGS:**

1. A joint public hearing by City Council and the City Planning Commission to consider the Vision 2001 Comprehensive Plan, City of Roanoke, dated August 3, 2001.

**Adopted Ordinance No. 35535-082001. (6-0)**  
**File #200-424**

2. Public hearing on the question of rezoning that certain tract of land containing approximately 2.80 acres, more or less, located on Colonial Avenue, S. W., being a portion of a larger tract of land bearing Official Tax No. 1570101, from RS-2, Residential Single-family District, to C-2, General Commercial District. Darlene L. Burcham, City Manager.

**Adopted Ordinance No. 35536-082001. (6-0)**  
**File #51**

3. Public hearing on the sale of City property on Colonial Avenue, S. W., to Carilion Health Systems (CHS, Inc.), containing approximately 2.80 acres, more or less, and being a portion of Official Tax No. 1570101, and a 50-foot easement for a term of five years across adjacent City-owned property located on Colonial Avenue, upon certain terms and conditions. Darlene L. Burcham, City Manager.

**Adopted Ordinance No. 35537-082001. (6-0)**  
**File #2-166-221**

4. Public hearing on a request of Lee Hi Land Group that conditions on property located on the north side of Orange Avenue, N. E., one-quarter mile east of Granby Street, Official Tax No. 7140114, which was rezoned pursuant to Ordinance No. 33516-080497, be amended. Robert Copt, Managing Partner, Spokesperson.

**Adopted Ordinance No. 35538-082001. (5-1, Council Member Bestpitch voted no.)**  
**File #51**

5. Public hearing on the request of Larry Bly and Martin Hall that property located at 322 Bullitt Avenue, S. E., Official Tax No. 4013516, be rezoned from LM, Light Manufacturing District, to C-1, Office District. Eric R. Spencer, Attorney.

**To be readvertised for public hearing on Monday, September 17, 2001 at 7:00 p.m., or as soon thereafter as the matter may be heard.**

**File #51**

6. Public hearing on the request of Kayser Properties, LLC, that a portion of Old Thirlane Road, N. W., bounded on the west by I-581 and on the east by property bearing Official Tax No. 5420106, be permanently vacated, discontinued and closed. Jon Hager, Vice-President, Ventures, Ltd., Spokesperson.

**To be readvertised for public hearing on Monday, September 17, 2001 at 7:00 p.m., or as soon thereafter as the matter may be heard.**

**File #514**

7. Public hearing on the request of Newbern Properties, LP., that property located at the terminus of Tuckawana Circle, N. W., containing approximately 1.67 acre, Official Tax No. 6472003, be rezoned from RM-2, Residential Multifamily, Medium Density District, to LM, Light Manufacturing District, subject to certain conditions proffered by the petitioner. Jess Newbern, Spokesperson.

**Adopted Ordinance No. 35539-082001. (6-0)**

**File #51**

8. Public hearing on the issue of whether the Code of the City of Roanoke (1979), as amended, should be amended to prohibit the keeping of cattle, sheep, goats and swine in areas of the City not zoned for agricultural use, unless on a farm of five acres in size or larger. Darlene L. Burcham, City Manager.

**Adopted Ordinance No. 35540-082001. (6-0)**

**File #24-54-66**

## **B. OTHER HEARING OF CITIZENS:**

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**Ms. Evelyn D. Bethel, 35 Patton Avenue, N. E., corrected a statement made by the Mayor at the 2:00 p.m. session, in which he advised that he had met with Ms. Helen E. Davis following the last City Council meeting. She clarified that the meeting did not relate to City business, but involved Mayor Smith as a private citizen and not as a member of City Council.**

**File #54-66-132-175**

**Ms. Bethel suggested that instead of prohibiting goats in the City of Roanoke (see public hearing 5.a.8), the City should use goats as a means of clearing overgrown City lots of grass and weeds.**

**Ms. Helen E. Davis, 35 Patton Avenue, N. E., continued her remarks which were presented at the 2:00 p.m. Council session. She advised that there are numerous City projects, all proceeding on a fast track, and citizens are not permitted to engage in dialogue with Council Members within the confines of the three to five minutes that they are allotted to speak at City Council meetings. She suggested that Council Members meet with citizens in the four quadrants of the City to engage in dialogue on matters of mutual interest and concern.**

**File #66-132**